

# Zero to Three Secondary Prevention Services & CPS Involvement

## ~ Services Eligibility Overview ~

Zero to Three Secondary Prevention programs serve Michigan's most vulnerable populations that have multiple CAN risk factors that are known to be a precursor to child abuse and neglect such as substance abuse, unemployment, homelessness, social isolation, limited support systems, teen and single parent families, parents that have a history of abuse and neglect, domestic violence issues and mental illness. Children may be affected by developmental delay, low birth weight and chronic illness. The enabling legislation stipulates that eligible families **may not** have an open Children's Protective Services case (**Category I or II Disposition**). The following information outlines the CPS investigation and disposition process and identifies those families that are **eligible** and appropriate for 0-3 Secondary Prevention services.

## CPS Disposition Categories and the Structured Decision Making Process<sup>1</sup>

The Child Protection Law (CPL) requires DHS to use Structured Decision Making (SDM) tools to determine safety of children, risk of future harm to a child, and the needs of the family. SDM promotes consistent, reliable, valid decisions from worker to worker and office to office. SDM focuses on a relatively small number of factors related to child abuse and neglect which research has shown correlate significantly with immediate danger (safety), future recurrence (risk), significant family characteristics (needs and strengths) and ameliorating action (treatment).

SDM comprises a safety assessment, a risk assessment and reassessment, a family needs and strengths assessment and a treatment plan.

The **safety assessment** assesses imminent danger, determines whether or not to initiate protective interventions when danger is identified, and addresses reasonable efforts to keep families in tact. The safety assessment result can be safe, safe with services or unsafe.

- Safe means the child is not in imminent danger by remaining at home.
- Safe with services means protecting interventions are in place to help the child remain safely at home.
- Unsafe means the child cannot be maintained safely in the home. A finding of unsafe results in court action.

The **risk assessment** determines the risk of future abuse or neglect in the family and the frequency of service to be provided.

Risk levels are intensive, high, moderate, or low. The greater the risk level, the more likely there will be subsequent harm to a child without intervention by CPS.

Research by the Children's Resource Center at the National Council on Crime and Delinquency (NCCD) has determined that children's protective services should serve high and

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<sup>1</sup> Source: The Department of Human Services ~ Children's Protective Services (<http://www.michigan.gov/dhs>)

intensive risk families to prevent recurrence, subsequent injury and/or removal of the child from home. For low and moderate risk cases, using children's protective services does not significantly affect the rate of recurrence, subsequent injury or removal. Therefore, low and moderate risk cases (Category III) are referred to other **community based services** so that children's protective services' resources can be focused toward Category II cases (high and intensive risk).

Regardless of the risk level, as determined by the risk assessment, there are required overrides to intensive risk in the following situations:

- Sexual abuse cases in which the perpetrator is likely to have access to the child.
- Cases with non-accidental physical injury to an infant.
- Serious, non-accidental, physical injury requiring hospital or medical treatment.
- Death of a sibling as a result of abuse or neglect.

A discretionary override also can be done and is based on unique case circumstances that warrant a higher risk level. Discretionary Overrides must have supervisory approval.

There is a risk reassessment at specific intervals during a family's involvement with children's protective services. The risk reassessment determines the risk of future abuse or neglect taking into account the family's response to protective services intervention and determines the level of service for each family considering their current circumstances.

The **family needs and strengths assessment** identifies needs contributing to child abuse and neglect; identifies strengths already present in the family, and focuses services to improve family functioning to ensure the safety and well-being of the children.

The **treatment plan** records those services provided or arranged by the CPS worker to ameliorate the conditions which contribute to child abuse and neglect in the family. The treatment plan, therefore, is guided by the family needs and strengths assessment.

## **The Five CPS Disposition Categories**

Effective July 1, 1999, Michigan's Child Protection Law instituted five disposition categories for CPS investigations. Category is determined by a combination of evidence, risk level and the safety assessment. The five dispositions for CPS investigations are:

- **Category V** - No evidence. Further intervention by CPS is not warranted. Families with a Category V Disposition **are** eligible and appropriate for 0-3 Secondary Prevention services if risk factors are identified even though CPS denied the case.
- **Category IV** - CPS finds that there is not a preponderance of evidence of child abuse and/or neglect. CPS **may** assist the family in accessing **community-based services**. Families with a Category IV Disposition **are** eligible and appropriate for 0-3 Secondary Prevention services.
- **Category III** - CPS finds that there is a preponderance of evidence of child abuse or neglect, and the SDM risk level is **low** or **moderate**. CPS **must** assist the family in setting up **community-based services** commensurate with the risk to

the child. Families with a Category III Disposition **are** eligible and appropriate for 0-3 Secondary Prevention services.

- **Category II** - CPS finds a preponderance of evidence of child abuse and/or neglect and the SDM risk level is high or intensive. CPS must **open a protective services** case and **CPS must provide services**. Families with a Category II Disposition **are not** eligible for 0-3 Secondary Prevention services.
- **Category I** - CPS finds a preponderance of evidence of child abuse and/or neglect, and the Child Protection Law or policy requires a **petition for court action**. The child(ren) are removed from the home and placed with a suitable relative or in foster care. CPS/Foster Care **must** provide services unless the petition requests the **termination of parental rights**. Families with a Category I Disposition **are not** eligible for 0-3 Secondary Prevention services.

### **The Central Registry Database of Substantiated CPS Cases**

The names of individuals are placed on the statewide abuse and neglect Central Registry if there is a preponderance of evidence (substantiates) that the individual(s) has abused or neglected their child and the future risk to the child is high or intensive based on the structured decision making risk assessment tool. (Note: The Child Protection Law requires certain persons' names to go on Central Registry regardless on risk.)

If an individual does not agree that their name should be on the Central Registry, they have a right to an administrative hearing. If the Administrative Law Judge upholds the DHS decision to place the name on the Central Registry, the individual has a right to appeal the decision to the Circuit Court. The DHS needs a preponderance of evidence that a child was abused or neglected to substantiate a case and list a person's name on Central Registry. The **3-1b** form is the instrument used to track CPS involvement, if any, among the families receiving 0-3 Secondary Prevention services.

When names are placed on the Central Registry, the DHS sends each individual a written notification which includes information on the right to review the case record, the right to appeal the decision to place their name on the Central Registry, and instructions on how to file the appeal.

Friend of the Court and DHS share information in order to collect the child support due to custodial parents. Frequently, parents themselves want information the Friend of the Court has shared with the DHS, so the DHS and parent can work together more effectively to protect a child.

When a family is referred to your agency for 0-3 Secondary Prevention services you must ascertain **if** there is CPS involvement and if there is, you **must** determine if the family is **eligible** for services per the parameters detailed above.

For additional information please contact Jeff Sadler at the Children's Trust Fund by phone at 517.335.4620 or via e-mail at [sadlerm@michigan.gov](mailto:sadlerm@michigan.gov)

